

AMENDED IN SENATE MAY 2, 2001
AMENDED IN SENATE MARCH 14, 2001

SENATE BILL

No. 146

Introduced by Senator Haynes

January 30, 2001

An act to add Sections 14105.46 and 14105.47 to the Welfare and Institutions Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

SB 146, as amended, Haynes. ~~Medi-Cal: prescription drug benefits payments.~~

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income recipients are provided with health care services.

~~This bill would require that when a pharmacy requests payment for any prescription or over-the-counter drug under the Medi-Cal program, the department use an online process in order to determine whether payment will be made~~ *provide that, under the Medi-Cal program, when a pharmacy requests payment for any prescription or over-the-counter drug, or when a physician requests payment for any office visit, the department shall use an online verification and billing process.*

~~Existing law provides, subject to various exclusions and limitations, for a \$1 copayment for each drug prescription or refill received by a Medi-Cal recipient.~~

Existing law requires a Medi-Cal recipient to pay specified copayments for pharmacy and other medical services provided to the recipient, subject to various exclusions and limitations.

This bill would provide that in a case where an individual is a recipient of benefits under both the Medicare program and the Medi-Cal program, the department shall pay to a pharmacy, as part of the payment for any drug for which the pharmacy is eligible to receive payment, *and to a physician, as part of the payment for an office visit for which the physician is eligible to receive payment*, any copayment that would be required to be collected under the terms of a health care plan in which the beneficiary is enrolled, but which is not permitted to be collected pursuant to Medi-Cal requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14105.46 is added to the Welfare and
2 Institutions Code, to read:

3 ~~14105.46. When a pharmacy requests payment for any~~
4 ~~prescription or over-the-counter drug under the Medi-Cal~~
5 ~~program, the department shall use an online process in order to~~
6 ~~determine whether payment will be made, including~~
7 ~~determinations of both recipient eligibility and whether the drug~~
8 ~~will be covered under the specific circumstances of each case.~~

9 14105.46. Under the Medi-Cal program, when a pharmacy
10 requests payment for any prescription or over-the-counter drug, or
11 when a physician requests payment for any office visit, the
12 department shall use an online verification and billing process.
13 This process shall be implemented as soon as feasible so as not to
14 conflict with the standards and processes set forth in the federal
15 Health Insurance Portability and Accountability Act of 1996 (P.L.
16 104-191).

17 SEC. 2. Section 14105.47 is added to the Welfare and
18 Institutions Code, to read:

19 14105.47. In a case where an individual is a recipient of
20 benefits under both the Medicare program and the Medi-Cal
21 program, the department shall pay to a pharmacy, as part of the
22 payment for any drug for which the pharmacy is eligible to receive
23 payment, *and to a physician, as part of the payment for an office*
24 *visit for which the physician is eligible to receive payment*, any
25 copayment that would be required to be collected under the terms
26 of a health care plan in which the beneficiary is enrolled, but which

- 1 is not permitted to be collected pursuant to Section 14134 or any
- 2 other provision of this chapter.

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